THE
Dan Smoot Report

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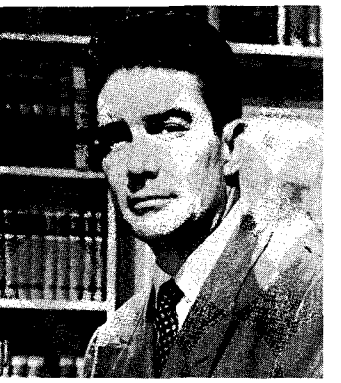

DAN SMOOT

CRIMINAL ANARCHY

Rampaging crime is changing the face of America, creating conditions reminiscent of the Dark Ages in Europe. In Crofton and Leisure World, Maryland, developers are building walled cities where security guards will protect inhabitants at night. Crofton will lock city gates at 9 o'clock every evening, leaving open only one gate, where a guard will check cars in and out.[1] In other places, merchants keep armed guards on duty and their doors locked even during business hours.[2] Neighbors band together and hire patrols to guard their lives and property during evening hours.

The *New York World-Telegram and Sun* predicts that people may soon be forced to travel in armed groups for self-defense, even in broad daylight.[3]

In sections of many large cities, women and girls are not safe even in their own homes in broad daylight.

Fear prevails in downtown Cleveland, Ohio, where assaults on women, purse snatchings, strong-armed robberies, knifings, and beatings are frequent. A new and terrible form of shoplifting has intimidated merchants. The owner of a small men's shop (who has been forced to hire an off-duty policeman to protect his property and employees) talked to reporters, saying:

"Please don't use my name. The situation is worsening to the point where we do not feel safe, particularly on weekends . . . .

"I have been here for 27 years. It wasn't until a year ago that I actually became afraid to open my shop.

"Can you imagine how it must feel to have 16 young men, not one of them intent on buying, crowd into this small shop, terrorize my help and grab anything they see and run?"[2]

THE DAN SMOOT REPORT is published weekly by The Dan Smoot Report, Inc., Box 9538, Dallas, Texas 75214 (office at 6441 Gaston Ave.). Subscriptions: $18.00 for 2 years; $10.00, 1 year; $6.00, 6 months; first class, $12.50 a year; airmail, $14.50. Dan Smoot was born in Missouri, reared in Texas. With BA and MA degrees from SMU (1938 and 1940), he joined the Harvard faculty (1941) as a Teaching Fellow, doing graduate work in American civilization. From 1942 to 1951, he was an FBI agent; from 1951 to 1955, a commentator on national radio and television. In 1955, he started his present independent, free-enterprise business: publishing this REPORT and abbreviating it each week for radio and TV broadcasts available for commercial sponsorship by business firms.

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The manager of a leather shop said:

"These kids don't live here. They come down looking for trouble. When you pay taxes and still have to hire your own police protection you're paying double."[2]

The manager of a hat shop said:

"We have been hit often by these gangs ranging in age from 14 to 19. There seems to be boldness in numbers."[2]

On March 9, 1966, President Johnson told Congress:

"Crime — the fact of crime and the fear of crime — marks the life of every American.

"We know its unrelenting pace: a forcible rape every 26 minutes, a robbery every five minutes, an aggravated assault every three minutes, a car theft every minute, a burglary every 28 seconds.

"We know the cost in dollars — some $27 billion annually . . . ."[4]

The crime rate is growing 6 times faster than our population — which means that, within the next 5 years, one of every 12 Americans will be directly victimized by a serious crime. Last year, 631 people were murdered in New York City, 395 in Chicago, 249 in Los Angeles. [5]

Worse To Come

Events during the Easter holidays were grim harbingers of bigger and bloodier outbursts of anarchy in the days ahead.

On Easter Monday, April 11, 1966, thousands of negro youths crowded into an amusement park in Maryland, on the outskirts of Washington. They had a pre-arranged plan to start a gang fight at midnight. Vandalism and violence during the afternoon forewarned the park's managers, who closed the park at 6:00 p.m. About 6000 people were there at the time.[6]

Gangs of negroes ran amok, attacking whites, screaming obscenities. They swarmed aboard parked buses, broke doors, smashed windows, slashed upholstery — then poured into the surrounding neighborhood, where they overran and vandalized a shopping center. From there, the rioters (whom a police lieutenant on the scene likened to a "bunch of savages") headed into Washington, leaving a trail of destruction through a fashionable, all-white residential area. They hurled rocks through windows of homes, shouting obscene threats at frightened whites inside; vandalized cars parked in driveways; tore down fences. A drugstore on Massachusetts Avenue was pillaged. Within half a mile of the White House, a bank window was smashed.[6]

On April 12, 1966, police battled a mob of 2000 antiwar demonstrators near the University of California campus in Berkeley. Other unruly demonstrations occurred throughout the nation.[6]

Following the riots in Washington, negro agitators threatened more to come. The national director of CORE (Congress of Racial Equality) predicted that racial violence may erupt in at least 40 U. S. cities this summer. He said the negro is "sick of whitey."[6]

Another negro spokesman utilized the occasion to condemn Washington merchants who do not support home rule for the District of Columbia, saying:

"There's nothing too bad to do to the merchants downtown . . . even burning their stores."[6]

The Causes

What is the cause? The National Council of Churches has been recruiting, training, and financing people to create racial hatred and contempt for law. Numerous church leaders recommend civil disobedience, urging disgruntled persons to violate laws they do not like. Major church denominations have spent hundreds of thousands of dollars hiring a professional agitator (Saul Alinsky) to organize people for riots and revolution. Unions are rewarded for violating law, as in the recent case of the New York City transit strike. The President and Congress pour out legis-

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lation that violates the fundamental law of our land, in response to pressures exerted by groups and individuals who lobby for the legislation by violating existing law. The prevailing attitude of totalitarian liberalism holds that individuals are not responsible for themselves: not responsible for their own welfare, that being a duty of government; not responsible for their own crimes, that being the fault of society.

These are among the causes. Courts — reflecting these attitudes and trends — have made a shambles of laws intended to punish criminals, leaving law enforcement agencies nearly powerless to protect society.

Landmark Court Decisions

DEMONSTRATION CASES. Throughout the South, racial demonstrators have violated local and state laws, criminally trespassing upon private and public property, disrupting the peace of whole communities, endangering the lives and property of all. Arrests and trials do no good, because the Warren Court releases convicted offenders. In a South Carolina case, the Court held that state and local officials have no authority to stop riots called demonstrations or to make arrests, because demonstrations are an exercise of free speech; and such free speech, the Court said, may best serve its purpose when it creates unrest and "stirs people to anger."

Concerning this situation, the Honorable Charles E. Whittaker (a Justice of the Warren Court who retired in 1962) says:

"The toleration of some crime encourages all crime, and . . . our toleration of these crimes of trespass has been at least a contributing factor to the recent spread of common violence which . . . makes it impossible for the citizens of this country to . . . walk the streets of our cities without [danger of] being mugged, raped, and robbed . . . .

"We have all been . . . told . . . that crime does not pay. But . . . . from what we see currently happening, one could reasonably believe that certain types of crimes are being permitted to pay.

"Indeed, official encouragement often has been given . . . to conduct these 'demonstrations' which have led to the commission of these criminal trespasses . . . ."[7]

MALLORY CASE. Andrew R. Mallory, a 19-year-old negro, confessed to raping a woman in the cellar of her apartment house in Washington, D. C. Without suggesting doubt of guilt or suspicion of police brutality, the Warren Court set Mallory free to go unpunished for his crime, solely because police had questioned him before formal arraignment.[8]

After his release, Mallory was arrested for raping another victim. For this crime, he is now serving a 20-year sentence.[9]

GIDEON CASE. In Florida, a defendant named Gideon was convicted of petty larceny and sentenced to prison. Later, his case was appealed. The Warren Court ordered Gideon released, because he had had no lawyer at his trial.[8]

ESCOBEDO CASE. On June 22, 1964, the Warren Court reversed an Illinois state court conviction (for murder) of Daniel Escobedo, because Escobedo had had no lawyer present when he confessed to police officers. Law officials predict that "vast numbers" of hardened criminals will be set free as a result of this *Escobedo* expansion of the rule which the Warren Court laid down in the *Gideon* case of 1963. Confessed murderers have already been released from prison.[8]

Escobedo has been arrested twice since his release in 1964. The second time was on March 20, 1966 — for illegal use of a weapon in connection with the beating of a man outside a Chicago restaurant. While approaching Escobedo's car to make the arrest, officers heard Escobedo advising two companions:

"Take the Fourth, Sixth, and Eleventh, but not the Fifth. They'll get you on that."[10]

CALIFORNIA MURDER CASES. On February 11, 1965, the California Supreme Court reversed the conviction of a confessed murderer of

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two girls. On October 1, 1965, the Court reversed the conviction of a confessed murderer of two California law officers. On the same day, the Court reversed the conviction of a fiendish killer who had confessed to raping, mutilating, and murdering a 10-year-old girl. There was no doubt about the guilt of the convicted defendants in these cases, no question of police brutality. The Court reversed their convictions on flimsy technicalities, using guidelines laid down by the Warren Court in *Mallory*, *Gideon*, *Escobedo*, and similar cases.[11]

The Cure

Police risk their jobs and their lives, when trying to protect society from any kind of criminal behavior that has racial or union overtones. In 1964, one out of every ten policemen in the United States was assaulted. Fifty-seven were murdered.[12]

But agitators responsible for criminal anarchy want the police made *utterly* helpless. They are agitating for civilian review boards in major cities to hear charges of police brutality. Agitators will dominate the boards and have the police at their mercy. Decent citizens should support their police and resist all efforts to establish civilian review boards.

Much more is needed, however, because the handicapping of law enforcement is, relatively, a superficial cause of crime.

Growth of U. S. crime rates has followed growth of the socialist welfare state. From 1933 to 1963, population in the United States increased 50%; crime rates increased 1231%; government spending (about half of it for welfare) increased 1215%.[13]

In the welfare state, criminals and drones flourish on the bounty which productive citizens are forced to provide.

We must abandon collectivism and return to individualism — dismantle the welfare state and reestablish constitutional government. To do that, we must elect constitutional conservatives to political office.

SUGGESTION: Put copies of this *Report* in your barber shop, beauty parlor, doctor's office, laundromat.

FOOTNOTES

(1) "New Towns—Answer To Urban Sprawl?", *U. S. News & World Report*, February 14, 1966, pp. 114-6

(2) "Fear Forces Stores Downtown to Take Protective Measures," by Donald L. Bean and E. J. Kissell, *Cleveland Plain Dealer*, circa March 14, 1966

(3) "New York City In Trouble — Another Chapter," *U. S. News & World Report*, June 15, 1964, pp. 43-5

(4) "Text Of Message On Crime And Law Enforcement," *Congressional Quarterly Weekly Report*, March 11, 1966, pp. 576-80

(5) "Crime And Punishment, USA," by Leslie H. Whitten, *Los Angeles Herald-Examiner*, October 10, 1964, pp. A-1, A-14; "Crime In The U.S.: Still Climbing," *U. S. News & World Report*, March 21, 1966, p. 16

(6) "After Spring Riots . . . Are More On The Way?", *U. S. News & World Report*, April 25, 1966, pp. 8, 10

(7) "A Former Justice Warns: Return To Law, Or Face Anarchy," *U. S. News & World Report*, April 25, 1966, pp. 58-62

(8) "Earl Warren Court," Parts I—IV, *The Dan Smoot Report*, March 22 — April 12, 1965, pp. 89-120; packet of the four Reports available at this office for 75¢

(9) "Criminals' Easy Way Out," by Prof. Rex A. Collings, *San Francisco News Call Bulletin*, July 31, 1965, p. 6

(10) "Escobedo Arrested On Pistol Violation," UPI dispatch from Chicago, *The New York Times*, March 21, 1966, p. 19

(11) "California Crime Rate 1952-64 Up 76%; Why?", pamphlet published by the City of Los Angeles Printing Division, circa November, 1965

(12) "Press Section," *Reader's Digest*, May, 1966, p. 11

(13) "The Fruits Of Liberalism," *The Dan Smoot Report*, June 7, 1965, pp. 183-4; reprints available at 1 copy for 25¢; 6 for $1.00

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